



SO ORDERED,

**Judge Katharine M. Samson
United States Bankruptcy Judge
Date Signed: July 30, 2025**

The Order of the Court is set forth below. The docket reflects the date entered.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI
GULFPORT-6 DIVISION**

**IN RE: AMANDA RENEE ABSTON
FKA AMANDA RENEE DEAKLE
DONALD CLIFFORD ABSTON, JR**

**CASE NO.: 22-51322-KMS
CHAPTER 13**

AGREED ORDER

THIS CAUSE came on for consideration on the Motion for Relief from Automatic Stay and for Abandonment [doc. 65] filed by PennyMac ("Movant"), Response [doc. 74] filed by Debtors, and Amended Response [doc. 75] filed by Debtors in the above styled case, and the Court has been advised that the parties have reached the following agreement:

1. Debtors are delinquent to Movant in post-petition payments for the months of May 2025 through July 2025 for \$1,139.63 per month, less \$1.98 being held in suspense, totaling \$3,416.91.
2. The parties are in agreement that the Debtors shall be permitted to put those amount due to Movant through July 2025, said total amount being \$3,416.91 back into the plan to be paid over the life of the Plan. The Debtors' ongoing monthly post-petition payments to owed to Movant will be made inside the plan through the Trustee beginning August 2025 in the amount of \$1,139.63. In addition, the attorney's fees and costs incurred by Movant as a result of filing the Motion for Relief, in the amount of \$1,049.00 shall be

added back into the plan to be paid to Movant as a separate claim over the life of the plan. The Trustee shall amend the plan payments accordingly to reflect this Agreed Order, and the plan is hereby amended accordingly to reflect this Agreed Order.

3. Furthermore, in the event the Debtors fail to make any future regular installments due the Trustee and Movant such that any said payment is more than thirty (30) days delinquent, the automatic stay shall be lifted as to the Movant and/or Movant's successors, agents or representatives, the property, located at 270 Harmon Pope Rd, Lucedale, MS 39452 41027-7057, abandoned from the bankruptcy estate, and Movant and/or Movant's successors, agents or representatives may likewise commence foreclosure proceedings or such other proceedings as may be authorized by its Note and Deed of Trust upon proper fourteen (14) day notice of default. Partial payments made by the Debtors on future defaults may be kept and applied by Movant without the necessity of filing a new notice of default. Only full cure of future defaults will prevent the lifting of the automatic stay as provided for in this order. Additionally, Movant shall be reimbursed for any ^{reasonable} fees and costs incurred as a result of filing a proper notice of default. KMS

4. In the case of cure of default and occurrence of subsequent defaults, Movant shall only send three (3) additional Notice of Defaults; if a fourth (4) default occurs, the stay the stay will automatically lift without further order of the court, and Movant will file a Notice of Termination of the Automatic Stay so that all interested/affected parties are provided notice of the lift of said stay; upon filing of the Notice of Termination of the Automatic Stay, the property shall also be deemed abandoned from the bankruptcy estate and the Movant may pursue its state law remedies.

5. Further, should this case be dismissed on motion of the Trustee due to any of the grounds specified in Section 109(g)(1) & (2) the Bankruptcy Code, the automatic stay as to Movant shall lift simultaneously with entry of the Order of Dismissal.

6. The fourteen (14) day stay described by Bankruptcy Rule 4001(a)(3) is waived.

Entry of this order shall constitute the entry of final judgment pursuant to Bankruptcy Rule 9021 and Rule 58 of the Federal Rules of Civil Procedure and shall be applicable to any ~~subsequent case filed by the Debtors under the Bankruptcy Code or~~ KMS conversion of this case to any other Chapter under the Bankruptcy Code.

##END OF ORDER##

APPROVED

/s/ Kimberly D. Putnam

Kimberly D. Putnam
Attorney for Movant

/s/ Thomas Carl Rollins, Jr

Attorney
Thomas Carl Rollins, Jr

The Rollins Law Firm, PLLC

/s/ Phillip Brent Dunnaway

Trustee
Warren A. Cuntz, Jr.

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